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UNCLAS LJUBLJANA 001053

SIPDIS

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DEPT FOR EUR/NCE, DRL/CRA

E.O. 12958: N/A

TAGS: PHUM PGOV PINR SI

SUBJECT: SLOVENIA: COM'S COURTESY CALL ON HUMAN RIGHTS
OMBUDSMAN MATJAZ HANZEK

Sensitive but Unclassified - please protect accordingly.

11. (SBU) SUMMARY. On November 16, COM, accompanied by the Embassy's PD/Human Rights Officer, paid a call on Slovenia's Ombudsman for Human Rights, Matjaz Hanzek. Hanzek expressed concern with some of the positions and public statements made by members of the rightist and center-right parties after their strong showing in the October 3 election. (NOTE: In the election, the center-right Slovenian Democratic Party, or SDS, won a plurality of the vote and is currently in the process of trying to form a coalition government with other centrist and center-right parties. END NOTE). Hanzek also enumerated what he considered to be the three main human rights issues facing Slovenia today: (1) the longstanding issue of the "erased," which concerns those former Yugoslav citizens who were deleted from Slovenia's register of permanent residents shortly after Slovenia declared independence in 1991; (2) prevarication on the adoption of a bill that would regulate domestic partnerships for gays and lesbians; and (3) the social and political status of Slovenia's Roma community. COM also asked Hanzek about domestic violence, hate speech, and court backlogs. After going over the litany of human rights problems facing Slovenia, Hanzek smiled and concluded by saying that Slovenia still compared favorably to most other countries around the world and that he was "optimistic" about the future. END SUMMARY.

Slovenia's New Center-Right Government

12. (SBU) When asked about the new center-right government that is currently in the process of being formed, Hanzek told us he was "deeply troubled" by the past actions and public statements of those now about to assume power. Hanzek noted that the newly elected President of the Parliament, Franc Cukjati of the SDS, had spearheaded a 2001 referendum drive to deny single women the right to undergo artificial insemination. (NOTE: The referendum was held on June 17, 2001 and failed to pass, thus denying deny single women the right to artificial insemination. END NOTE). Hanzek argued that by supporting the defeat of the referendum, Cukjati had contributed to the violation of single women's human rights.

13. (SBU) Hanzek also voiced concern over remarks made by the Deputy President of the Parliament, Saso Pece (a member of the rightist Slovenian Nationalist Party, or SNS), who claimed publicly that he never wanted to have coffee with someone who was black or gay. Finally, Hanzek also noted that the Prime Minister-designate, Janez Jansa of the SDS, had backed a referendum over the question of the "erased" that would have challenged a decision by Slovenia's Constitutional Court. Hanzek argued that by promoting the referendum, Jansa had demonstrated his complete lack of respect for the rule of law.

Protecting the Rights of Slovenia's Minorities

13. (U) On the issue of the "erased," Hanzek noted that it was unacceptable to continue to deny claims for permanent residency to individuals simply because they were former members of the Yugoslav army who had failed to apply for citizenship during a six-month window in 1991-92. Hanzek noted that he hoped the new government would begin issuing permanent residency to such individuals forthwith but doubted that this would happen.

14. (U) Hanzek also told us that the delay in the adoption of a law regulating domestic partnerships for

gay and lesbian citizens was limiting their human rights. He expressed concern that this "first step" in the "struggle for equality" might languish in the new parliament dominated by center-right parties.

15. (U) Hanzek noted that the social and political status of Slovenia's Roma population was also unacceptable and that improvements were needed to

further integrate the Roma into Slovene society. He argued that at present Roma citizens simply do not have truly equal opportunities in employment, housing and education.

Domestic Violence, Hate Speech, and Court Backlogs

16. (U) Responding to COM's question about domestic violence, Hanzek told us that a draft law on domestic violence was currently awaiting parliamentary modification and approval. Hanzek informed us that the Council of Europe was planning to hold a ministerial-level conference on domestic violence and child abuse in Ljubljana in July and that he hoped the conference would push the government to put legislation in place by then.

17. (SBU) On the issue of hate speech, Hanzek informed us that his office would be holding an exhibition on December 9 in commemoration of Human Rights Day that would document hate speech by prominent Slovenian politicians and public figures. Hanzek told us the exhibition would include comments made by SNS party leader Zmago Jelenc, who stated on the floor of the parliament that Slovenes should begin collecting guns to protect ourselves from the Roma population.

18. (U) On the issue of court backlogs, Hanzek agreed that the situation was unacceptable, particularly in child abuse and custody cases, where delays directly impact both the human rights and wellbeing of children.

Comment

19. (SBU) Throughout our meeting, Hanzek did not hide his distrust for the newly elected parliamentarians from the center-right and rightist parties. Despite his clear personal preference for the parties of the center-left, Hanzek's concerns about the new government's stance towards human rights are real. At this point, it is still too early to tell whether and how the newly elected government will deal with the issues he enumerated. Some issues, like that of the "erased" and domestic violence, will have to be settled quickly if Slovenia does not want to isolate itself within the EU. Other issues, however, like domestic partnerships for gays and lesbians, are likely to be bypassed in the coming parliamentary term. Post will continue to monitor and report on human rights issues as they emerge.

ROBERTSON

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